

**NORFOLK ISLAND  
FOURTEENTH LEGISLATIVE ASSEMBLY  
MINUTES OF PROCEEDINGS  
WEDNESDAY 25 JUNE 2014**

**NORF'K AILEN  
DIISEM MENETS LARNEN WATHING HAEPN  
INAA  
FORTIINTH LEJESLIETEW 'SEMBLE  
WEDNESDAY 25 JUUN 2014**

1 The Legislative Assembly met at 10.00 am, the Speaker, Hon David Buffett AM MLA, took the Chair and read Prayers

2 **QUESTIONS WITHOUT NOTICE (10.02-10.46 AM)**

**Deputy Speaker took the chair at 10.20 am  
Speaker resumed chair at 10.46 am**

3 **PRESENTATION OF PAPERS**

The following papers were presented:

- 1) Speaker Buffett – **Public Sector Management Act 2000 – Exclusion from the Public Service**
- 2) Minister for Finance, Mr Sheridan – **Virements for May and part June 2014**
- 3) Minister for Finance, Mr Sheridan – **Customs Duty Exemptions**

4 **STATEMENTS OF AN OFFICIAL NATURE**

The following statement was made –

- 1) Chief Minister and Minister for Tourism, Mr Snell – **Farewell to The Administrator, Hon Neil Pope and Mrs Pope**

5 **MESSAGES FROM THE OFFICE OF THE ADMINISTRATOR**

**Message No. 14 – “Public Service Bill 2013.** On 10 June 2014, I have received advice from the Commonwealth Minister following my request for instructions on 11 June 2013. In accordance with the requirements of section 21 of the Norfolk Island Act 1979i, I withhold assent to the Bill and hereby return it to the Norfolk Island Legislative Assembly for further consideration.

The reasons are as follows:

While the Bill largely achieves the goals of modernising Norfolk Island’s public service legislation, clause 42 of the Bill is not consistent with this goal and it should not be enacted in its current form. It is not appropriate for the power to determine the duties, terms and conditions of fixed period employment in the public service to rest with the Minister. This encourages close Ministerial involvement in operational matters, and this power should rest with the Chief Executive Officer.

In relation to Clause re, which provides the Chief Executive Officer with discretionary power over access to redundancy benefits, the alternative wording proposed by the Chief Minister in his letter of 29 January 2014 would be more appropriate.” This Message from the Office of the Administrator is dated the 10<sup>th</sup> June 2014 and signed Neil Pope, Administrator.

Ms Adams moved –

**THAT under Standing Order 183B, the Report be noted**

Debate ensued

Debate adjourned (Ms Adams) and the resumption of debate made an Order of the Day for a subsequent day of sitting

## NOTICES

**6** **Message No. 15** from the Administrator advising that on 24 June 2014 in accordance with the requirements of section 25 of the *Norfolk Island Act 1979* he recommended to the Legislative Assembly the enactment of the proposed law entitled "An Act to authorise expenditure from the public account for the period ending on 30 June 2015

**7** **APPROPRIATION BILL 2014-2015 – DECLARATION OF URGENCY**

The Speaker reported that the Business Committee under standing order 158 had declared that the Appropriation Bill 2014-2015 shall be declared urgent and its passage expedited

**8** **APPROPRIATION BILL 2014-2015**

Minister for Finance, Mr Sheridan, pursuant to notice, presented a Bill for an Act to authorise expenditure from the Public Account for the year ending on 30 June 2015 and moved –

**THAT the Bill be agreed to in principle**

**Paper:** Mr Sheridan tabled the supporting budget documents as required under the *NI Act 1979* and the *Commonwealth Finance Ministers (NI) Orders 2011*, namely –

- 4) **Explanatory Memorandum**
- 5) **Certificate of Compliance**
- 6) **NIHE Budget**
- 7) **NIGTB Budget**

Debate ensued

Question – THAT the Bill be agreed to in principle – put and agreed to on the voices

Leave granted to dispense with the detail stage

Mr Sheridan moved –

**THAT the Bill be agreed to**

Question put and agreed to on the voices

**9** **INFRASTRUCTURE AND BUSINESS DEVELOPMENT COMMITTEE RECOMMENDATIONS**

Mr Nobbs pursuant to notice, moved -

**THAT this House agree that the fourth Quarterly Report of the Infrastructure and Business Development Committee tabled on 21 May 2014 be passed to the Norfolk Island Government for its progression.**

Debate ensued

Question put and agreed to on the voices

**10** **IMMIGRATION ACT 1980 - APPLICATION TO APPLY FOR GENERAL ENTRY PERMIT**

Minister for Cultural Heritage and Community Services, Ms Adams, pursuant to notice, moved

**THAT for the purpose of paragraph 17A(1)(e) of the *Immigration Act 1980*, this Legislative Assembly resolve that —**

**Douglas Foote**

**be authorised to make an application for a general entry permit under the Act.**

Debate ensued

Question put and agreed to on the voices

**11** **CUSTOMS ACT 1913 - EXEMPTION FROM PAYMENT OF CUSTOMS DUTY**

Minister for Finance, Mr Sheridan pursuant to notice, moved -

**THAT, under subsection 2B(4) of the Customs Act 1913, this House recommends to the Administrator that the goods specified in column 1 of the Schedule imported by the person specified in column 2, and on the conditions mentioned in column 2 of the Schedule, be exempted from duty.**

**SCHEDULE**

**Column 1**

**Column 2**

GoodsImporter/conditions

**Hydrosmart Enhanced Output In-line Filter**

- amount of duty applicable \$716.73

**Norfolk Island Bowling Club and Bowling Council Inc**

Conditions: Nil

**Windsurfing equipment to train beginners**

- amount of duty applicable \$720.00

**Norfolk Island Sailing Club (NISC)**

Conditions: Nil

**Uniforms for Commonwealth Games Team**

- amount of duty application \$1213.38

Debate ensued

Question put and agreed to on the voices

**Norfolk Island Amateur Sports Association**

Conditions: Nil

### ORDERS OF THE DAY

#### 12 KINGSTON AND ARTHURS VALE HISTORIC AREA (KAVHA) – REVIEW

Resumption of debate (Mr Nobbs) from 19 February 2014 on the question – THAT the motion - **THAT this House resolves that the Minister responsible for KINGSTON AND ARTHURS VALE HISTORIC AREA (KAVHA) undertake a review of the administrative arrangement between the Commonwealth and Norfolk Island governments in relation to the management of KAVHA, including a review of the Memorandum of Understanding and particularly the reasons why proposed Norfolk Island legislation related to KAVHA and its management has never been enacted. The Minister is further requested to report to the House within 60 days** - be agreed to

Debate ensued

Mr Nobbs moved –

**THAT debate be adjourned and the resumption of debate made an Order of the Day for a subsequent day of sitting**

Debate ensued

Question put and agreed to on the voices

#### 13 IMMIGRATION (AMENDMENT) BILL 2014 IMAGRIESHAN (CHIENJEN) BIL 2014

Resumption of debate (Minister for Cultural Heritage and Community Services, Ms Adams) from 21 May 2014 on the question – THAT the Bill be agreed to in principle

Debate ensued

Question put

Bill agreed to in principle on the voices

Leave granted to dispense with the detail stage

Ms Adams moved –

**THAT the Bill be agreed to**

Question put and agreed to on the voices

#### 14 FIXING OF NEXT SITTING DAY

Mr Evans moved –

**THAT the House at its rising adjourn until Wednesday 16 July 2014 at 10 am**

Question put and agreed to on the voices

#### 15 ADJOURNMENT

Mr Nobbs moved –

**THAT the House do now adjourn**

Debate ensued with Mr Sheridan; Mr Snell; Mrs Ward and Speaker Buffett participating  
Question put and agreed to on the voices

**AND THEN the House at 1.01 pm adjourned until Wednesday 16 July 2014 at 10.00 am**

Gaye Evans  
**Clerk to the Legislative Assembly**

**MEMBERS PRESENT:** All Members were present